

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
EASTERN DIVISION

RUBEN LOPEZ-LOPEZ

PETITIONER

v.

NO. 2:05CV00345 SWW

LINDA SANDERS, Warden, FCI
Forrest City, Arkansas

RESPONDENT

ORDER

The Court has received findings and a recommendation from Magistrate Judge H. David Young. After a careful review of the findings and recommendation, the timely objections received thereto, and a de novo review of the record, the Court concludes that the findings and recommendation should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects. The submission filed by petitioner Ruben Lopez-Lopez ("Lopez-Lopez") in commencing this proceeding is one pursuant to 28 U.S.C. 2255. Having previously filed a motion pursuant to 28 U.S.C. 2255, he must obtain the approval of the appropriate Court of Appeals before filing a second or successive motion. He has not obtained the required approval. The motion to dismiss filed by respondent Linda Sanders ("Sanders") is granted, and Lopez-Lopez's motion to vacate, set aside, or correct his sentence pursuant to 28 U.S.C. 2255 is dismissed without prejudice. All requested relief is denied; judgment will be entered for Sanders.

IT IS SO ORDERED this 14TH day of June, 2006.

/s/Susan Webber Wright
UNITED STATES DISTRICT JUDGE